UNITED STATES DISTRICT SOUTHERN DISTRICT NEV			
BYD COMPANY LTD.,		x :	
Pla	intiff,	: :	
v.		:	Case No. 1:20-cv-03281
VICE MEDIA LLC,		: :	Hon. Alison J. Nathan
Def	fendant.	; ;	
		X	

## DECLARATION OF RACHEL F. STROM IN SUPPORT OF VICE MEDIA LLC'S MOTION TO DISMISS THE COMPLAINT

- I, Rachel F. Strom, pursuant to 28 U.S.C. § 1746, hereby declare as follows:
- 1. I am an attorney at law duly licensed to practice before this Court. I am an attorney at the firm of Davis Wright Tremaine LLP, counsel for Defendant VICE Media LLC ("Vice"). I submit this declaration in support of VICE's Motion to Dismiss the Complaint.
- 2. Attached hereto as **Exhibit A** is a true and correct copy of the article published by Vice on April 11, 2020 titled "Trump Blacklisted This Chinese Company. Now It's Making Coronavirus Masks for U.S. Hospitals," available at: <a href="https://www.vice.com/en\_us/article/qjdqnb/trump-blacklisted-this-chinese-company-now-its-making-coronavirus-masks-for-us-hospitals.">https://www.vice.com/en\_us/article/qjdqnb/trump-blacklisted-this-chinese-company-now-its-making-coronavirus-masks-for-us-hospitals.</a>
- 3. Attached hereto as **Exhibit B** is a true and correct copy of the article published by the Wall Street Journal on December 10, 2019 titled "Congress Want to Ban Chinese Buses, Railcars in Defense Bill," available at: <a href="https://www.wsj.com/articles/congress-wants-to-ban-chinese-buses-railcars-in-defense-bill-11575927925">https://www.wsj.com/articles/congress-wants-to-ban-chinese-buses-railcars-in-defense-bill-11575927925</a>.

- 4. Attached hereto as **Exhibit C** is a true and correct copy of a letter sent from the Executive Office of the President, Office of Management and Budget to the Chairman of the Committee on Armed Services discussing the National Defense Authorization Act for Fiscal Year 2020, dated September 4, 2019, available at: <a href="https://www.whitehouse.gov/wp-content/uploads/2019/09/Letter-to-the-Chairs-and-Ranking-Members-of-the-House-and-Senate-Armed-Services-Committees.pdf">https://www.whitehouse.gov/wp-content/uploads/2019/09/Letter-to-the-Chairs-and-Ranking-Members-of-the-House-and-Senate-Armed-Services-Committees.pdf</a>.
- 5. Attached hereto as **Exhibit D** is a true and correct copy of testimony given by United States Senator John Cornyn to the Senate's Committee on Banking, Housing, and Urban Affairs on March 5, 2020, available at: <a href="https://www.banking.senate.gov/imo/media/doc/Cornyn/20Testimony%203-5-20.pdf">https://www.banking.senate.gov/imo/media/doc/Cornyn/20Testimony%203-5-20.pdf</a>.
- 6. Attached hereto as **Exhibit E** is a true and correct copy of the statement issued by BYD concerning the National Defense Authorization Act, available on BYD's website at: https://en.byd.com/news-posts/byd-statement-on-proposed-ndaa-language/.
- 7. Attached hereto as **Exhibit F** is a true and correct copy of a proposed bill introduced in the United States House of Representatives on March 11, 2020 by Representative James McGovern titled "Uyghur Forced Labor Prevention Act," available at: <a href="https://www.congress.gov/bill/116th-congress/house-bill/6210?s=1&r=1">https://www.congress.gov/bill/116th-congress/house-bill/6210?s=1&r=1</a>.
- 8. Attached hereto as **Exhibit G** is a true and correct copy of a proposed bill introduced in the United States House of Representatives on March 12, 2020 by Representative Jennifer Wexton titled "Uyghur Forced Labor Disclosure Act of 2020," available at: <a href="https://www.congress.gov/bill/116th-congress/house-bill/6270/text">https://www.congress.gov/bill/116th-congress/house-bill/6270/text</a>.
- 9. Attached hereto as **Exhibit H** is a true and correct copy of a press release issued by United States Representative Ilhan Omar titled "Rep. Omar Leads Letter to CEOs, including

Apple, Amazon, and Google Condemning the Use of Forced Uyghur Labor in China," dated April 6, 2020, available at: <a href="https://omar.house.gov/media/press-releases/rep-omar-leads-letter-ceos-including-apple-amazon-and-google-condemning-use">https://omar.house.gov/media/press-releases/rep-omar-leads-letter-ceos-including-apple-amazon-and-google-condemning-use</a>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 17, 2020 /s/ Rachel F. Strom

New York, New York

RACHEL F. STROM